IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

WRIT PETITION No. 8730 of 2004

Between:

1 M/s. Nanda Printers, Having its business at H.No. 3-6-363,

Liberty X Roads, Hyderabad, rep by its Proprietix Smt. Nanda Bai.
2 Rajeshwar, S/o. M.P. Parameshwar, R/o.H.No. 1-2-288/51,

Domalguda, Hyderabad.

..... PETITIONERS

AND

1 The Central Registrar/Arbitrator, the Mahesh Cooperative Urban Bank

Ltd. Hyderabad.
2 A.P. Mahesh Cooperative Urban Bank Ltd. Scheduled Bank and

deemed to be registered under Multi State Cooperative Societies Act,

1984 having its registered No. MSCS/CR/128/2001 and Reg. Office

at 5-3-989, III Floor, Sherza Estate, Nizam Shahi Road, Hyd. rep by

its Managing Director.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus : i) declaring the ex parte award passed by the 1st respondent in Rc.No. 22/05-03, dated 30-10-2003 directing us to pay an amount of Rs.69,50,423-

00 to A.P. Mahesh Cooperative Urban Limited, Hyderabad as illegal, arbitrary and unconstitutional apart from being violative to principles of natural justice; consequently ii) declaring the inaction of the respondent in not setting aside the ex parte award passed against us in respondent in Rc.No. 22/05-03, dated 30-10-2003 even inspite of receipt of our application seeking to set aside the ex parte award through our application dated 13-1-2004 as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice; consequently iii) set aside the ex parte award passed by the 1st respondent in Rc.No. 22/05-03, dated 30-10-2003, dated 30-10-2003 and the proceedings in EP No. 32/2004 on the file of the Chief Judge, City Civil Courts, Hyderabad, as the same is based on the ex parte award passed by the 1st respondent.

Counsel for the Petitioner : Mr.V.SUNIL KUMAR

Counsel for the Respondents : Mr.S.ASHOK ANAND KUMAR

The Court made the following :

ORDER

The learned counsel for petitioner submits that he has been instructed by his client to withdraw the writ petition. To the said effect, learned counsel for petitioner addressed a letter dated 7.9.2004 to the Registrar (Judicial) of this Court.

The writ petition is accordingly dismissed as withdrawn. There shall be no order as to costs.

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B.PRAKASH RAO, J

Date: 9.9.2004

DA

To

1 The Central Registrar/Arbitrator, the Mahesh Cooperative Urban Bank

Ltd. Hyderabad.

2 The Managing Director, A.P. Mahesh Cooperative Urban Bank Ltd.

Scheduled Bank Reg. Office at 5-3-989, III Floor, Sherza Estate,

Nizam Shahi Road, Hyderabad.

3 Two CD copies.